

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:06-00039

PHILLIP TERRY DELANEY

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On May 28, 2025, the United States of America appeared by Jeremy B. Wolfe, Assistant United States Attorney, and the defendant, Phillip Terry Delaney, appeared in person and by his counsel, Willard Clinton Carte, Assistant Federal Public Defender, for a hearing on the Petition and Amendment submitted by Senior United States Probation Officer Justin L. Gibson. The defendant commenced a twenty-four month less one day term of supervised release on each Count One and Count Two as more fully set forth in the Supervised Release Revocation and Judgment Order and the Memorandum Opinion and Order entered by the court on January 12, 2022, and the original Judgment in a Criminal Case entered on July 26, 2006.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release on each of the two counts in the following respects: (1) on August 4, 2023, in Charleston, Kanawha County, West Virginia, the defendant committed the felony offense of possession of a stolen vehicle in violation of state and local laws; (2) on that same date, in Charleston, Kanawha County, West Virginia, the defendant committed the offense of petit larceny in violation of state and local laws; and, (3) on July 24, 2023, the defendant submitted a urine specimen that tested positive for marijuana, and on August 4, 2023, the defendant signed a voluntary admission form acknowledging his use of cannabidiol on July 22, 2023; all as admitted, and all as set forth in the Petition and Amendment to Petition.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate

the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release terms previously imposed upon the defendant in each Count One and Count Two be, and they hereby are, revoked.

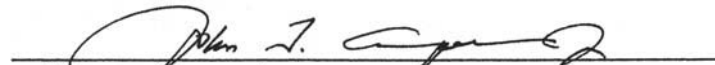
And the court having complied with the requirements of Rule 32.1(b)(2) and (c)(1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FIFTEEN (15) MONTHS on Count One, and for a period of FIFTEEN (15) MONTHS on Count Two to run concurrently with each other, and with no further term of supervised release on each Count One and Count Two.

The court finds the sentence is sufficient but not greater than necessary to meet the goals of sentencing.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 29, 2025

  
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John T. Copenhaver, Jr.  
Senior United States District Judge